

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

RICHARD FEINER AND CO., INC.,
Plaintiff,
V.

SUMMONS IN A CIVIL ACTION

THE NEW YORK TIMES COMPANY,
PHOTOFEST, INC. and
HOWARD MANDELBAUM,

CASE NUMBER:

Defendants.

07 CV 11218

TO: (Name and address of Defendant)

The New York Times Company
620 Eighth Avenue
New York, NY 10018

Photofest, Inc. and
Howard Mandelbaum
32 East 31st Street, 5th Floor
New York, NY 10016

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Gregory A. Sioris
350 Fifth Avenue, Suite 7606
New York, NY 10118-7606
(212) 840-2644

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

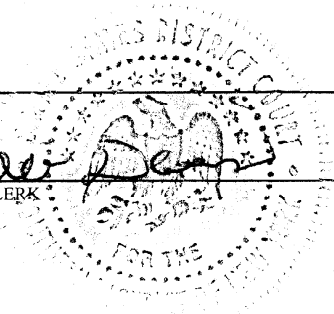
J. MICHAEL McMAHON

DEC 13 2007

CLERK

DATE

(By) DEPUTY CLERK



UNITED STATES DISTRICT COURT/SOUTHERN DISTRICT OF NEW YORK Attorney: GREGORY A SIORIS - 1295

RICHARD FEINER AND CO. INC.

Index #: 07 CV 11218

Plaintiff(s)

- against -

Date Filed:

THE NEW YORK TIMES COMPANY, PHOTOFEST, INC. AND HOWARD
MANDELBAUM**AFFIDAVIT OF SERVICE**

Defendant(s)

STATE OF NEW YORK: COUNTY OF NEW YORK ss:

BYRAN E. MCELDERRY BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION, OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on January 28, 2008 at 03:00 PM at:

620 EIGHTH AVENUE
NEW YORK, NY10018

deponent served the within true copy of the SUMMONS & COMPLAINT & JUDGE'S RULES on THE NEW YORK TIMES COMPANY, the defendant/respondent therein named.

CORPORATION by delivering thereat a true copy of each to MS. ELLEN HERTZ personally, deponent knew said corporation so served to be the corporation described in said SUMMONS & COMPLAINT & JUDGE'S RULES as said defendant/respondent and knew said individual to be the GENERAL AGENT thereof.

Deponent further states that he describes the person actually served as follows:

Sex	Skin Color	Hair Color	Age (Approx.)	Height (Approx.)	Weight (Approx)
FEMALE	WHITE	BROWN	48	5'4	145

Sworn to me on: January 29, 2008


 Linda Forman
 Notary Public, State of New York
 No. 01FO5031305
 Qualified in New York County
 Commission Expires August 1, 2010

 Robin M. Forman
 Notary Public, State of New York
 No. 01FO6125415
 Qualified in New York County
 Commission Expires April 18,
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 Larry Yee
 Notary Public, State of New York
 No. 01YE5015682
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 Commission Expires July 26, 2009
BYRAN E. MCELDERRY

License #: 869802

Docket #: 536127

UNITED STATES DISTRICT COURT/SOUTHERN DISTRICT OF NEW YORK Attorney: GREGORY A SIORIS - 1295

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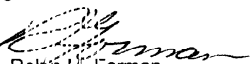
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CORPORATION by delivering thereat a true copy of each to MR. HOWARD MANDELBAUM personally, deponent knew said corporation so served to be the corporation described in said SUMMONS & COMPLAINT & JUDGE'S RULES as said defendant/respondent and knew said individual to be the GENERAL AGENT thereof.

Deponent further states that he describes the person actually served as follows:

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MALE	WHITE	GREY/BLACK	48	5'6	150

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**MILITARY
SERVICE**

Person spoken to was asked whether the defendant was in the military service of the State of New York or the United States and received a negative reply. Upon information and belief based upon the conversation and observation as aforesaid deponent avers that the defendant is not in the military service of the State of New York or the United States as that term is defined in the statutes of the State of New York or the Federal Soldiers and Sailors Civil Relief Act.

That at the time of such service deponent knew the person so served as aforesaid to be the same person mentioned and described as the defendant/respondent in this action.

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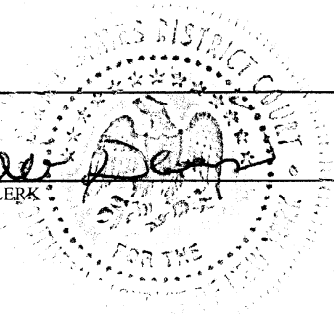
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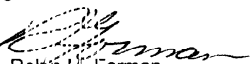
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